

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES CHRISTENSON, et al.,

Plaintiffs,

vs.

Case No. 15-14441
HON. GEORGE CARAM STEEH

CITY OF ROSEVILLE,
JAMES OSTERHOUT, and
TIMOTHY TOMLINSON,

Defendants.

/

**ORDER DENYING DEFENDANTS' MOTION TO STRIKE OR, IN
THE ALTERNATIVE, FOR LEAVE TO FILE SUPPLEMENTAL
BRIEF IN SUPPORT OF OPPOSITION TO PLAINTIFFS'
MOTION TO ALTER OR AMEND JUDGMENT (DOC. 38)**

On January 24, 2017, the Court entered an opinion and order granting defendants' motion to dismiss for lack of subject matter jurisdiction. (Doc. 31). On February 15, 2017, plaintiffs filed a motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 59(e). (Doc. 33). Plaintiffs filed an amended motion to amend/correct a judgment on February 16, 2017. (Doc. 34). Defendants filed a response on February 28, 2017. (Doc. 35). Plaintiffs thereafter filed a reply, (Doc. 36), and supplemental evidence, (Doc. 37).

This matter is presently before the Court on defendants' motion to strike plaintiffs' reply, (Doc. 36), and supplemental evidence, (Doc. 37), or in the alternative, for leave to file a supplemental brief. (Doc. 38). The Court shall consider plaintiffs' reply and supplemental evidence. The Court, however, does not require additional briefing from defendants. An order denying plaintiffs' amended motion to amend/correct a judgment, (Doc. 39), was issued August 1, 2017. Defendants' motion is, therefore, DENIED as moot.

IT IS SO ORDERED.

Dated: August 1, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 1, 2017, by electronic and/or ordinary mail and also on James Christenson, 22014 Fresard, Saint Clair Shores, MI 48080.

s/Barbara Radke
Deputy Clerk